

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 1020

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATOR VOGEL.

Read 1st time February 7, 2006, and ordered printed.

Read 2nd time February 8, 2006, and referred to the Committee on Commerce, Energy and the Environment.

Reported from the Committee March 2, 2006, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 27, 2006. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

5041S.02P

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## AN ACT

To amend chapter 414, RSMo, by adding thereto one new section relating to requirements for installers and manufacturers of fuel storage tanks.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 414, RSMo, is amended by adding thereto one new  
2 section, to be known as section 414.035, to read as follows:

414.035. 1. Any person who manufacturers an aboveground or  
2 underground fuel storage tank for use in this state, or piping for such  
3 tank, or who installs or repairs such tanks or piping in this state, shall  
4 maintain evidence of financial responsibility in an amount equal to or  
5 greater than one million dollars per occurrence and two million dollars  
6 annual aggregate for the costs of corrective action directly related to  
7 releases caused by improper manufacture, installation, or repair of  
8 such tank or piping.

9 2. The requirement set forth in subsection 1 of this section shall  
10 not apply to the installation or repairs of fuel tanks or piping by the  
11 owner or operator of such fuel tank or piping.

12 3. Evidence of financial responsibility shall be presented  
13 annually to the director of the department of agriculture.

14 4. The department of agriculture shall promulgate rules to  
15 implement the provisions of this section.

16 5. Any rule or portion of a rule, as that term is defined in section

17 **536.010, RSMo, that is created under the authority delegated in this**  
18 **section shall become effective only if it complies with and is subject to**  
19 **all of the provisions of chapter 536, RSMo, and, if applicable, section**  
20 **536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
21 **and if any of the powers vested with the general assembly pursuant to**  
22 **chapter 536, RSMo, to review, to delay the effective date, or to**  
23 **disapprove and annul a rule are subsequently held unconstitutional,**  
24 **then the grant of rulemaking authority and any rule proposed or**  
25 **adopted after August 28, 2006, shall be invalid and void.**

Unofficial ✓

Bill

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